

REMARKS

Claims 1-4, 6, 8, 10-11, 16-17, 20, 26, and 29-32 are amended herein. Claims 5,7, 12-14, 18-19, 21-24, 28 have been canceled. Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 are pending. No new matter has been added as a result of these amendments.

CLAIM REJECTIONS - 35 U.S.C. §102(e)

Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Droge (09/841,168) and Schneider (Applied Cryptography, 2nd ed.). Applicants have reviewed the above cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 1-4, 6, 8, 10-11, 16-17, 20, 29 and 31 are not anticipated by for at least the following rationale.

i. Missing Claim Limitations

Independent Claim 1 (and similarly Claims 6, 10 and 29), as amended, recites:

A method for transmitting secured data over a wireless link, the method comprising:

- encrypting a payload according to a first session key;
- adding a header to the encrypted payload to form a data packet;
- encrypting the first session key;
- encrypting the data packet according to a second session key;
- transmitting the encrypted first session key to a wireline device; and
- transmitting the encrypted data packet over a wireless link to a gateway which decrypts the encrypted data packet, recreates the encrypted payload and the header, and forwards the encrypted payload and the header to the wireline device over an open network.

"[A]nticipation requires the presence in a single prior art reference disclosure of *each and every element* of the claimed invention, arranged as in the claim" *Lindemann Maschinefabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added).

MPEP §2131 provides:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). ... "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claim.

Applicants respectfully submit that Droge fails to disclose each and every element of Claim 1, arranged as in the claim. Applicants understand Droge to teach encrypting data that has already been once encrypted and packetized such that the data becomes twice encrypted, packetized data. Further, Applicants understand Droge to teach obtaining a public key to authenticate a user using digital certificates. However, Applicants understand Droge not to teach or suggest encrypting and transmitting a first session key.

For at least the foregoing rationale, Applicants respectfully submit that Claims 1, 6, 10 and 29 are not anticipated by Droge and Schneider under 35 U.S.C. §102(e). As such, allowance of Claims 1, 6, 10 and 29 is respectfully requested.

ii. Multiple References Cited

The foregoing notwithstanding, since “anticipation requires the presence in *a single prior art reference* disclosure of each and every element of the claimed invention, arranged as in the claim” (see *Lindemann Maschinefabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added)), Applicants respectfully submit that, to establish a statutory rejection pursuant to 35 U.S.C. § 102(e), Examiner has the burden to identify with particularity and specificity, in the Droge reference, each and every element of the claimed invention, as arranged in the claims, without importing any further disclosures from other references (such as Schneider). Further, Applicants respectfully request that, in the event the rejections pursuant to 35 U.S.C. § 102(e) are subsequently sustained, the Examiner specifically identify each and every element of the pending claims, as arranged in these claims, in a single prior art reference, such that the Applicants may adequately reply.

For at least the foregoing rationale, Applicants respectfully submit that Claims 1, 6, 10 and 29 are not anticipated by Droge and Schneider under 35 U.S.C. §102(e). As such, allowance of Claims 1, 6, 10 and 29 is respectfully requested.

With respect to Claims 2-4, 8-9, 11, 15-17, 20, 25-27 and 30-35, these claim depend from Claims 1, 6, 10 and 29. Applicants respectfully point out that Claims 2-4, 8-9, 11, 15-17, 20, 25-27 and 30-35 depend from allowable amended

independent Claims 1, 6, 10 and 29, and recite further embodiments of the present claimed invention. Therefore, Applicants respectfully submit that Claims 2-4, 8-9, 11, 15-17, 20, 25-27 and 30-35 overcome the rejections under 35 U.S.C. §102(e), and that these claims are thus in a condition for allowance as being dependent on allowable base claims.

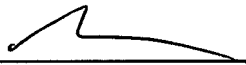
CONCLUSION

In light of the above listed remarks, reconsideration of the rejected claims is requested. Based on the amendments and arguments presented above, it is respectfully submitted that Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 overcome the rejections of record. Therefore, allowance of Claims Claims 1-4, 6, 8-11, 15-17, 20, 25-27 and 29-35 is respectfully solicited.

Should the Examiner have a question regarding the instant amendment and response, the Applicants invite the Examiner to contact the Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,
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